

# **EXHIBIT V**

**From:** [FOIA](#)  
**To:** [Amrit Singh](#); [FOIA](#)  
**Cc:** [Natasha Arnpriester](#)  
**Subject:** [AWARENESS] RE: [ACTION REQUIRED] Department of Homeland Security FOIA 2020-HQFO-01313  
**Date:** 14 July 2020 10:17:29

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Good morning Ms. Singh,

We have received your clarification email and we sent it over to the program office searching for responsive records.

Regards,

DHS Privacy Office  
Disclosure & FOIA Program  
STOP 0655  
Department of Homeland Security  
2707 Martin Luther King Jr. AVE SE  
Washington, DC 20032  
Telephone: 1-866-431-0486 or 202-343-1743  
Fax: 202-343-4011

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**From:** Amrit Singh <amrit.singh@opensocietyfoundations.org>  
**Sent:** Friday, July 10, 2020 2:21 PM  
**To:** FOIA <FOIA@HQ.DHS.GOV>  
**Cc:** Natasha Arnpriester <natasha.arnpriester@opensocietyfoundations.org>  
**Subject:** RE: [ACTION REQUIRED] Department of Homeland Security FOIA 2020-HQFO-01313

Dear Sir/Madam,

1. In relation to your email of July 7, 2020, you note that you have placed some searches on hold until you received clarification on items 2,3, 5, 6 and 9. We see no reason to place the searches with respect to items 1, 4,7, and 8 on hold, and expect that those searches have been continuing.
2. You did not specify which program office required more information on the specific items in our request. We are of course happy to work with you on this, but DHS and its components are in a better position to know where responsive requests are located and how best to search for them. Accordingly, while we do provide some initial suggestions below in response to your queries with respect to items 2, 3, 5, 6 and 9, these are non-exhaustive and do not limit our request:

*Item 2. Communications (from December 1, 2019 until June 1, 2020) between White House officials (including President Trump) and FEMA's Administrator, Chief of Staff, Deputy Administrator or Associate Administrator for Response and Recovery about the virus.*

We suggest your search terms include, but are not limited to, "virus" OR "coronavirus" OR "pneumonia" OR "Wuhan" OR "Cov!" OR "C19", OR "SARS!" to capture these terms in a non-case sensitive manner.

*Item 3. Communications (from December 1, 2019 until June 1, 2020) between FEMA's*

*immediate office of the Administrator (including the Administrator, Peter Gaynor) and the immediate office of the Assistant Secretary for Preparedness and Response (including Assistant Secretary Robert Kadlec) about the virus.*

Suggested search terms include, but are not limited to, “virus” OR “coronavirus” OR “pneumonia” OR “Wuhan” OR “Cov!” OR “C19”, OR “SARS!” to capture these terms in a non-case sensitive manner.

*Item 5. Records created on or after February 1, 2020 about the virus, referring to the biodefense company, “Emergent Biosolutions.”*

In light of your familiarity with agency structure and procedures, we welcome your suggestions on what type of records would be responsive to this request. By way of background, Emergent Biosolutions recently won a large HHS contract in relation to the COVID-19 pandemic, raising ethics questions in relation to Robert Kadlec’s ties to the company. [\[1\]](#)

An initial (non exhaustive) suggestion is that you search for records, including but not limited to contracts and agreements (include draft versions), emails, memos, text messages, and meeting notes, created on or after February 1, 2020 that include non-case sensitive versions of the terms “Emergent” or “Emergent Biosolutions”

*Item 6. Records created on or after February 1, 2020 about the virus, referring to Moncef Slaoui, “Project Airbridge,” Jared Kushner, or any person purporting to speak on his or his coronavirus team’s behalf, including but not limited to, Rachael Baitel.*

In light of your familiarity with agency structure and procedures, we welcome your suggestions on what type of records would be responsive to this request.

By way of background, on May 15, 2020, the Trump administration announced that Moncef Slaoui, the former head of GlaxoSmithKline’s vaccine division, would be the chief advisor of Operation Warp Speed (OWS), the administration's national program to accelerate the development, manufacturing, and distribution of COVID-19 vaccines, therapeutics, and diagnostics (medical countermeasures). [\[2\]](#) In March 2020, Jared Kushner, President Trump’s son in law and senior adviser, reportedly created his own team of government allies and private industry representatives to work alongside the official coronavirus task force. Kushner’s outside advisers were reportedly emailing large groups of government employees from private email addresses, raising security concerns about adherence to proper government protocols. Kushner reportedly was also the White House “point person” for “Project Airbridge” which purports to work with private companies to bring medical supplies from other countries to the United States. [\[3\]](#)

An initial (non exhaustive) suggestion is you search for records, including but not limited to contracts and agreements (include draft versions), emails, text messages, memos, or talking points created on or after February 1, 2020 that include non-case sensitive versions of the terms “Moncef” OR “Slaoui” OR “Airbridge,” OR “Jared” OR Kushner” OR “Baitel.”

*Item 9. Communications about the virus since March 1, 2020 between FEMA and Blue Flame Medical LLC, including, but not limited to, Mike Gula, John Thomas, Paris Pope, or any other person purporting to represent Blue Flame.*

In light of your familiarity with agency structure and procedures, we welcome your suggestions on the specific program office and or FEMA employees you expect would

have responsive records.

By way of background, Mike Gula, a longtime Republican fundraiser, started a new company called Blue Flame Medical--“because the president and the vice president were asking people to help”--to supply coronavirus testing kits, N95 respirator masks, “a wide selection” of personal protective equipment and other “hard to find medical supplies to beat the outbreak.”<sup>[4]</sup>

An initial (non-exhaustive) suggestion is that you search for records including but not limited to those from the Administrator, Office of the Administrator, Procurement and Fiscal Law Division (under Office of Chief Counsel, Mission Support, and Office of Response and Recovery.

An initial (non-exhaustive suggestion) is that your search terms include but are not limited to non-case sensitive versions of “Blue Flame” OR “Gula” OR “John Thomas” OR “Paris Pope.”

Best wishes,

Amrit Singh  
Director, Accountability, Liberty and Transparency Division,  
Open Society Justice Initiative  
224 W. 57<sup>th</sup> St  
New York, N.Y. 10019  
Tel: +1 212 5480660  
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Pronouns: She/Her

**From:** foia@hq.dhs.gov <foia@hq.dhs.gov>

**Sent:** 07 July 2020 14:28

**To:** Amrit Singh <amrit.singh@opensocietyfoundations.org>

**Subject:** [ACTION REQUIRED] Department of Homeland Security FOIA 2020-HQFO-01313

Good Afternoon Ms. Singh,

One of the program offices that was tasked regarding your FOIA request requires more information on specific items in your request. They need more information on items 2,3,5,6, and 9. Please see below for the further clarification needed:

**Item 2: Could you please narrow the timeframe and/or provide key search terms.**

**Item 3: Could you please narrow the timeframe and/or provide key search terms.**

**Item 5: Could you please provide more information on the type of records**

sought.

**Item 6: Could you please provide more information on the type of records sought**

**Item 9: Could you provide the specific program office and/or FEMA employees they'd like us to search as well as key search terms.**

We placed these searches on hold until we receive clarification from you.

- 1. Communications (from December 1, 2019 until June 1, 2020) between White House officials (including President Trump) and DHS Secretary Chad Wolf or Rear Adm. John Polowczyk (FEMA Supply Chain Stabilization Task Force) about the virus.*
- 2. Communications (from December 1, 2019 until June 1, 2020) between White House officials (including President Trump) and FEMA's Administrator, Chief of Staff, Deputy Administrator or Associate Administrator for Response and Recovery about the virus.*
- 3. Communications (from December 1, 2019 until June 1, 2020) between FEMA's immediate office of the Administrator (including the Administrator, Peter Gaynor) and the immediate office of the Assistant Secretary for Preparedness and Response (including Assistant Secretary Robert Kadlec) about the virus.*
- 4. Communications from February 1, 2020 until May 1, 2020 between FEMA's immediate office of the Administrator (including the Administrator, Peter Gaynor) and a) the office of Florida Governor Ron DeSantis (including Governor DeSantis) or b) the office of Florida Division of Emergency Management, about allocations of supplies from the strategic national stockpile in response to the virus.*
- 5. Records created on or after February 1, 2020 about the virus, referring to the biodefense company, "Emergent Biosolutions."*
- 6. Records created on or after February 1, 2020 about the virus, referring to Moncef Slaoui, "Project Airbridge," Jared Kushner, or any person purporting to speak on his or his coronavirus team's behalf, including but not limited to, Rachael Baitel.*
- 7. Communications about the virus since February 1, 2020 between FEMA's immediate office of the Administrator and a) members/staff of the Job Creators Network (including but not limited to Alfredo Ortiz and/or its Elaine Parker) or b) representatives/staff from the Marcus Foundation.*
- 8. Communications about the virus since March 1, 2020 between FEMA and entities participating in Project Airbridge, including but not limited to, Cardinal, Concordance Healthcare Solutions, FedEx, Henry Schein, Inc., McKesson Corp., Landstar System, Medline, Owens & Minor, Radiant Logistics, and/or UPS.*
- 9. Communications about the virus since March 1, 2020 between FEMA and Blue Flame Medical LLC, including, but not limited to, Mike Gula, John Thomas, Paris Pope, or any other person purporting to represent Blue Flame. (Date Range for Record Search: From 12/1/2019 To 5/1/2020)*

Regards,

DHS Privacy Office  
Disclosure & FOIA Program  
STOP 0655  
Department of Homeland Security  
245 Murray Drive, SW  
Washington, DC 20528-0655  
Telephone: 1-866-431-0486 or 202-343-1743  
Fax: 202-343-4011  
Visit our [FOIA website](#)

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[1] See Footnote 4 of OSJI FOIA Request, (citing Emily Kopp, Trump health official's approach to contracts faces scrutiny, June 10, 2020, <https://www.rollcall.com/2020/06/10/trump-health-officials-approach-to-contracts-faces-scrutiny/>).

[2] See <https://www.hhs.gov/about/news/2020/05/15/trump-administration-announces-framework-and-leadership-for-operation-warp-speed.html>; <https://www.politico.com/news/2020/05/13/slaoui-vaccine-therapeutics-czar-coronavirus-255668>;

[3] The Background section and footnotes 9, 34, 35 and 36 of OSJI FOIA request provides additional context for this category of records.

[4] See Footnote 10 of OSJI FOIA Request (citing Theodoric Meyer & Alex Isenstadt, Republican Fundraiser Looks to Cash in on Coronavirus, Politico (Mar. 27, 2020), <https://www.politico.com/news/2020/03/27/republican-fundraiser-company-coronavirus-152184>).